

# **BOROUGH OF GREENCASTLE COUNCIL MEETING MINUTES**

**November 15, 2022**

**7:00 P.M.**

MEMBERS PRESENT: President Albert W. Miller, Vice President Jan Shafer, Councilmen Wade Burkholder, H. Duane Kinzer, Jeremy Layman, and Scott Reagan. Also present were Borough Manager Emilee Little, Public Works Manager Bob Manahan, and Chief of Police John Phillippy. Councilman Joel Amsley participated via phone. Mayor Ben Thomas was absent.

President Albert W. Miller called the meeting to order at 7:05 p.m.

An invocation was provided by President Albert W. Miller.

President Albert W. Miller led the Pledge of Allegiance and noted the meeting was being recorded for accuracy of the minutes.

On a Reagan/Burkholder motion, Council unanimously approved the proposed agenda for the November 15, 2022, rescheduled council meeting.

## **Opportunity to be Heard**

Little read the public comment as provided by Tim Fetterhoff of 180 Baumgardner Drive. Fetterhoff's comment noted that the optics of Council's pay raise were not good when the Council was simultaneously proposing a tax increase.

## **CONSENT AGENDA**

On a Burkholder/Reagan motion, Council unanimously approved the Consent Agenda as presented.

Minutes of Previous Meeting:

Borough Council Meeting of October 3, 2022

Borough Council Workshop Meeting of October 31, 2022

## **REGULAR AGENDA**

### **Payment of Bills**

On a Reagan/Shaffer motion, Council unanimously approved the disbursements listed on the October 2022 Disbursement Report in the amount of \$131,046.65.

### **Committee Action**

#### **Administration**

On a Reagan/Burkholder motion, Council unanimously authorized the advertisement of Ordinance 2022-06 amending Chapter 185 of the Code of the Borough of Greencastle, to establish a procedure for waiving additional charges assessed against a taxpayer who fails to pay their real estate taxes in a timely manner due to failure to receive notice.

Little noted Act 57 requires the Borough to enact an ordinance establishing a procedure by which a tax collector can waive additional charges if a taxpayer did not receive a tax notice and all the conditions of the state waiver request form are met. Little reviewed the requirements on the state's waiver request form and identified that per Act 57, the Borough must enact this ordinance no later than January 9, 2023.

On a Burkholder/Reagan motion, Council unanimously approved Resolution 2022-09 revising the fee schedule for tax collector services provided by the Borough's elected Tax Collector.

Little explained that the local tax collector requested the implementation of a fee for tax certification. Little noted that the fee of \$20 as suggested was consistent with other municipalities' fee schedules for tax collection.

On a Reagan/Shافر motion, Council unanimously approved the Franklin County Area Tax Board 2023 Operating Budget as presented.

On a Layman/Burkholder motion, Council unanimously voted to table the appointment of a representative and alternate to the Franklin County Area Tax Board for Calendar Year 2023 until the December 5<sup>th</sup> Council meeting.

### **Budget and Finance**

On a Kinzer/Layman motion, Council unanimously approved preliminary adoption and advertisement of the 2023 Municipal Budgets.

Little presented a PowerPoint reviewing the proposed 2023 budgets including capital expenditures and anticipated projects as well as the proposed budget balances for the General Fund, Sewer Fund, and Stormwater Fund. Little noted that all budgets with the suggested revenues and expenditures were balanced and included a 5% increase for all Borough staff, a 9.6% increase in employee health insurance costs, no increase to sewer or stormwater rates, and a 1 mill real estate tax increase.

Councilmembers Shafer, Reagan and Layman questioned expenses related to the police department including the cameras on Center Square and officer wages as proposed in the 2023 General Fund budget.

Layman questioned what percentage of the Borough's tax revenue the 2023 police department budget encompasses. Little answered that the 2023 police budget equates to 61% of the Borough's 2023 proposed tax revenue.

Layman asked the amount of ARPA funds the Borough has received in 2022. Little answered that the Borough received \$209,265.30 in both 2021 and 2022 for a total of \$418,530.60 in ARPA funding. Little provided that in the 2023 budget, ARPA funds would be used for Mifflin Lane stormwater engineering expenses.

President Albert W. Miller noted that ARPA funds were used in 2022 to offset a tax increase and that with the proposed 1 mill real estate tax increase in 2023 the average residential increase per tax parcel would be about \$20 per year.

Layman requested an annual detailed breakdown of legal and engineering expenses.

On an Amsley/Burkholder motion, Council unanimously approved a 5% increase for the Borough Manager in the 2023 Municipal Budgets.

Kinzer questioned why this action was not included in the prior motion for the 2023 budget. President Albert W. Miller noted that this action was proposed separately for transparency.

Little noted that the 5% increase as noted for the Borough Manager position in 2023 was consistent with the 5% increase presented in the 2023 budgets for all Borough staff. Little provided that the total increase to the General Fund for this 5% Borough Manager wage increase equated to \$2,096.82.

Layman questioned why Little's pay would increase if an increase was not specified within the employee contract. Little provided language from her contract which states, "this salary may be increased at any time in the future by such amounts and at such times as the Council shall deem appropriate."

President Albert W. Miller noted the 5% increase was not a cost of living increase and that previous Council had handled this topic in the same manner. Layman asked what this increase was for. President Albert W. Miller noted the 5% was the same annual increase that all Borough staff would receive in 2023.

Kinzer asked if Little's wages would increase 5% now and 5% in 2023. Little answered that this is a singular 5% wage increase to be effective January 1, 2023. Kinzer asked what was the term of Little's contract, Little provided that her contract is a 3 year contract signed on April 6, 2021.

On a Kinzer/Layman motion, Council unanimously approved payment in the amount of \$5,358.94 for the Rescue Hose Company No. 1 as requested for the Borough's portion of the RHC personnel cost incurred from 7/1/2022 to 9/30/2022.

Little provided that included this Q3/22 request, the Borough will have only paid 26% of the total \$89,500.00 that was originally request by the RHC for 2022.

On an Amsley/Burkholder motion, Council unanimously authorized staff to draft an ordinance to increase Council pay effective January 1, 2024.

Little presented the overall projected cost impact of the Council's proposed pay increase with the Mayor and Council President receiving \$150 monthly, the Vice President receiving \$125 monthly, and the rest of Council pay being \$100 monthly; resulting in a \$3,000 increase to the general fund expense when fully implemented. Little provided the regulatory statutes governing Council pay.

President Albert W. Miller noted that the pay increase would be effective on January 1, 2024 for the newly elected Councilmembers then upon re-election for current Councilmembers.

Kinzer stated he had suggested this pay increase for Council and it is long overdue especially with the additional workshop meeting requirements.

## **Community Outreach**

### **Economic Development**

On an Amsley/Reagan motion, Council unanimously ratified Resolution 2022-08 authorizing the increased funding request totaling \$301,168.00 for the submitted Keystone Communities Program grant application providing financial assistance in funding the 6 East Baltimore Street building renovation project through a revolving grant to loan program.

Little reviewed that a Keystone Communities Program grant application was submitted in August and that staff was notified by DCED of additional funding available which resulted in the \$87,868 increase in funding requested in this updated Resolution of support.

On a Reagan/Kinzer motion, Council unanimously approved the final land development plan as submitted by Frederick, Seibert & Associates, Inc. on behalf of 301 South Antrim Way, LLC for the installation of a 5600 SF storage building on parcel 08-2B00.-006.-000000 located at 301 S. Antrim Way as reviewed and recommended for approval by the Borough's Planning Commission.

Little identified the sections of the Borough Code that were reviewed by the Planning Commission. Little reviewed that this storage building construction caused no increase to impervious area, no Borough utilities were being requested, and that the plans as submitted did not require the approval of any waivers.

## **Personnel**

### **Public Facilities & Stormwater**

On an Amsley/Burkholder motion, Council voted 6-1 (Kinzer opposed) to authorize the execution of a Deed of Dedication agreement conveying all portions of Vivian Avenue to be ordained as a street of the Borough of Greencastle and open for public use, subject to all other required parties prior execution of the same.

Little reviewed the work completed on the Vivian Avenue situation to date noting that all work as required by the global agreement has been completed including embankment work, signage, speed table installation and pavement markings. Little provided that upon all parties execution of the Deed of Dedication that the street then be ordained and opened to the public.

On a Kinzer/Reagan motion, Council unanimously approved Resolution 2022-10 appointing the Borough Manager as the authorized signatory for the submittal of and modifications to the Traffic Signal Maintenance Agreement between the Borough of Greencastle and Pennsylvania Department of Transportation.

Little noted that per state law, each municipality is responsible for the installation, maintenance, and operation of all signals within its jurisdiction. PennDOT requires that each municipality establish a Traffic Signal Maintenance Agreement with PennDOT.

On a Reagan/Kinzer motion, Council unanimously authorized Borough Manager Emilee Little to execute the provided Traffic Signal Maintenance Agreement between the Borough of Greencastle and Pennsylvania Department of Transportation.

Little provided that the Traffic Signal Maintenance Agreement is required by PennDOT prior to PennDOT's

review and issuance of a revised traffic signal permit for the intersection of Rt. 16 and Washington Street as well as at the intersection of Rt. 16 and Rt. 11.

On a Kinzer/Reagan motion, Council unanimously ratified Resolution 2022-11 authorizing the submission of an application to the Pennsylvania Department of Transportation Multimodal Transportation Fund grant for financial assistance in funding the North Washington Street Reconstruction Project.

Little explained this grant application was for the same scope of work on N. Washington Street that had already been submitted for grant funding through the DCED Multimodal Transportation Fund.

### **Public Safety**

On a Kinzer/Amsley motion, Council unanimously authorized the advertisement of Ordinance 2022-03 amending Chapter 86 of the Code of the Borough of Greencastle to include regulations for the removal of grass, weeds, and other obstructions from sidewalks and Chapter 132 of the Code of the Borough of Greencastle to prohibit nuisances created by the accumulation of yard waste.

Little identified Ordinance 2022-03 would allow for the enforcement of accessibility and walkability with increased regulations for the removal of obstructions from sidewalks. Additionally this ordinance defines and provides restrictions for composting systems as well as adds yard waste to the list of enforceable property maintenance nuisances.

On a Kinzer/Burkholder motion, Council voted 6-1 (Layman opposed) to authorize the advertisement of Ordinance 2022-04 amending Chapter 190, Section 9 of the Code of the Borough of Greencastle to include additional roadways with their respective speed limits and Chapter 190, Section 27 of the Code of the Borough of Greencastle to prohibit parking on the east side of S. Washington Street 30 feet north and 40 feet south from the intersection with Crowell Lane.

Little noted that the requested revisions had been incorporated into Ordinance 2022-04 including the addition of Chambers Lane to the 25 mph speed limit section and further detail was added regarding the S. Washington Street location for no parking restrictions.

Layman questioned why no parking and speed limits were combined in one ordinance. Little noted that both changes are to Chapter 190 of the Borough Code and were combined to save on advertising costs. Layman stated that the no parking restrictions could open up a slippery slope for other requests. Little advised that the no parking restriction on S. Washington Street was previously reviewed and tentatively approved by Council and that the residents that had requested this restriction due to safety concerns had already been notified of Council's decision to address these concerns.

On an Amsley/Reagan motion, Council unanimously to authorize the advertisement of Ordinance 2022-05 amending Chapter 205, Section 22 of the Code of the Borough of Greencastle to define and further regulate private outdoor swimming pools.

Little explained that this ordinance would require a fence for any pool with a depth of 2 feet or greater. Little noted that Ordinance 2022-05 defines private outdoor swimming pools to include any pools, hot tubs, and spas which are equal to or greater than 24 inches deep.

### **Correspondence**

Mayor Thomas provided correspondence entitled *Mayor's Statement: Reference Greencastle's Police Budget* dated November 7, 2022.

Council took no action on this correspondence. Kinzer requested the Mayor sign his statement.

### **Final Comments**

Kinzer: Questioned why the Police department did not use red lights during Trick or Treating, noted that the only resident present was Mr. Dick Myers, and stated that tax payers should be at meetings.

Amsley: Thanked those involved with the budget, noted it was well done.

Shafer: Stated she was glad Council got through the meeting.

Burkholder: Thanked everyone for their work on the budget.

Layman: Thanked Mr. Myers for attending the meeting and thanked everyone for the work on the budget.

Reagan: Stated that if residents have concerns they need to come to meetings.

Miller: Thanked everyone for coming.

**Adjourn**

On a Kinzer/Burkholder motion, the meeting adjourned at 8:56 p.m.

Respectfully submitted,

Emilee Little  
Borough Manager